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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/623,363

07/17/2003

Larry J. Salmen

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3165

7590

12/27/2006

Larry J. Salmen  
700 Breakwater Drive  
Ft. Collins, CO 80525

EXAMINER

BASEHOAR, ADAM L

ART UNIT

PAPER NUMBER

2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/27/2006

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/623,363

Applicant(s)

SALMEN ET AL.

Examiner

Adam L. Basehoar

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/22/05</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: The Application filed 07/17/03 which claims priority to provisional application 60/393,965 filed on 07/17/02.
2. Claims 1-23 are pending in the case. Claims 1, 13, 14, and 20, are independent claims.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 04/22/05 has been considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Anuff et al (US-2002/0029296 03/07/02).

**-In regard to independent claims 1, 14, and 20,** Anuff teaches a process for authoring electronic information for presentation at an interactive electronic display with which an item may be ordered, comprising the steps of: providing at least a first template defining a default pattern (Paragraph 68: "Layout")(Fig. 5a & 5b); providing group information comprising data records associating at least one cell (Paragraph 75: "form cells")(Fig. 5a & 5b) to each of a

Art Unit: 2178

plurality of identified groups (Paragraph 68: “Groups contain a set of modules....respectively”); providing local presentation information comprising data records associating each of a plurality of presentation objects with at least one of said identified groups (Paragraph 6; Paragraphs 25-26); and reading said default pattern along with accessing said group information and said local presentation information, filling-in said cells (Paragraph 6: “presents an initial view, or front page”)(Fig. 2).

**-In regard to dependent claim 2 and 16,** Anuff teaches wherein: said step of providing group information further comprises optionally assigning cell characteristics (Paragraph 6: i.e. user-selectable and user-controllable; Paragraph 93: “Properties are associated with modules”); said group information is organized as a data structure (Paragraph 30: “data store”; Paragraph 88; Paragraphs 102-108)(Fig. 5a & 5b); said presentation information is organized as a data structure (Paragraph 30: “data store”; Paragraph 88; Paragraphs 102-108)(Figs. 2 & 5a & 5b); each of said plurality of presentation objects comprises at least one module of data having multisensory attributes (Paragraph 51)(Fig. 2); and each of said cells comprises a defined area of a display (Paragraph 6)(Fig. 2) whereupon activation results in at least one action selected from the group consisting of ordering an item, deleting an item, controlling a peripheral, navigating though dialog, controlling an internal dialog process, controlling an external process, and presenting at least one of said objects (Paragraphs 27-28; Paragraph 55).

**-In regard to dependent claim 3,** Anuff teaches wherein: said step of providing at least a first template further comprises providing a DIALOG template to include said first template

Art Unit: 2178

and a second and third template (Fig. 5a & 5b)(Paragraphs 28 & 75), each defining a respective second and third default pattern (Fig. 5a & 5b)(Paragraphs 28 & 75); and said step of providing group information further comprises assigning cell characteristics (Paragraph 75: “form cells”), and said cell characteristics comprises a characteristic selected from the group consisting of cell functions, multisensory attributes, and cell layout patterns (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94).

**-In regard to dependent claim 4**, Anuff teaches wherein: said group information is organized as a data structure (Paragraph 30: “data store”; Paragraph 88; Paragraphs 102-108)(Fig. 5a & 5b); said identified groups comprise a first, second, and third parent group (Fig. 5a & 5b)(Paragraphs 28 & 75-76), each respectively associated with said first, second, and third template (Fig. 5a & 5b)(Paragraphs 28 & 75-76); and said step of providing group information further comprises identifying at least a first and second subgroup for each of said parent groups (Paragraph 75: “form cells”)(Fig. 5a & 5b).

**-In regard to dependent claim 5**, Anuff teaches wherein: said step of providing group information further comprises associating each of said first and second display areas with a respective one of said identified subgroups (Paragraphs 75-76: “form cells”)(Fig. 5a & 5b), associating at least one cell to each of said identified subgroups (Paragraphs 75-76: “form cells”)(Fig. 5a & 5b), and said assigning cell characteristics comprises doing so for each of said identified subgroups of cells (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and said step of

Art Unit: 2178

providing local presentation information comprises further associating each said presentation object with one of said identified subgroups (Paragraph 6; Paragraphs 25-26)(Fig. 2 & 10).

**-In regard to dependent claims 6 and 17**, Anuff teaches wherein said step of providing group information further comprises assigning initial cell characteristics (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); wherein said step of providing local presentation information further comprises assigning local cell characteristics to any of said cells (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and further comprising the step of, after said accessing of said group information and said local presentation information, overriding any of said initial cell characteristics of said group information with any of said local cell characteristics for which there is an overlap (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94: i.e. user initiated override)

**-In regard to dependent claim 7**, Anuff teaches wherein: said initial cell characteristics comprise a characteristic selected from the group consisting of cell functions, multisensory attributes, and cell layout patterns (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and said step of filling-in comprises populating each said cell with any respective of said presentation objects according to said data records of said local presentation information to generate the presentation at an interactive kiosk (Paragraph 6: “presents an initial view, or front page”)(Fig. 2).

**-In regard to dependent claim 8**, Anuff teaches wherein: said identified groups comprise (a) a first parent group associated with said first template (Paragraph 68: i.e. left

Art Unit: 2178

column group contains three modules), and (b) a second parent group associated with a second template defining a second default pattern (Paragraph 68: i.e. right column group contains two modules); and said step of providing group information further comprises: identifying at least a first and second subgroup for each of said parent groups (Paragraph 51); associating each of a first and second display area of said first default pattern with a respective first- and second-subgroup of said first parent group (Figs. 2, 5a, and 5b)(Paragraph 75); associating each of a first and second display area of said second default pattern with a respective first-and second-subgroup of said second parent group (Figs. 2, 5a, and 5b)(Paragraph 75); and associating a plurality of cells respectively with each of said subgroups (Figs. 2, 5a, 5b, and 10)(Paragraph 75-76).

**-In regard to dependent claim 9**, Anuff teaches wherein: said step of providing group information further comprises assigning cell characteristics for each of said parent groups (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and said step of providing local presentation information comprises further associating each said presentation object with one of said subgroups (Fig. 2).

**-In regard to dependent claim 10**, Anuff teaches wherein said step of providing group information further comprises assigning cell characteristics for each of said plurality of cells associated with said subgroups (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and further comprising, after said step of providing group information and before said step of reading said

Art Unit: 2178

default pattern (Paragraph 6: “presents an initial view, or front page”)(Fig. 2), the step of editing said group information, based upon a level of access granted to do so (Paragraphs 92-97).

**-In regard to dependent claim 11**, Anuff teaches wherein each of said plurality of presentation objects comprises at least one module of data having multisensory attributes (Paragraph 51)(Fig. 2); and further comprising the step of, reading said first and second default pattern along with accessing said group information and creating a respective first and second intermediary display pattern such that each said first and second intermediary display pattern has said cell-to-subgroup associations of said respective first and second default pattern (Fig. 5a & 5b)(Paragraphs 28 & 75-79).

**-In regard to dependent claim 12**, Anuff teaches comprising the step of copying and storing said second intermediary display pattern as a plurality of instantiation second display patterns (Paragraphs 74-79; Paragraph 103); and wherein: said creating said first and second intermediary display patterns occurs at a first location (Paragraph 6: “portal server”; Paragraphs 74-79); said step of reading said default pattern further comprises reading said first and second intermediary pattern and each of said instantiation second display patterns (Paragraphs 75-80); and said step of filling-in comprises, at a second location, populating each said cell of said first and second intermediary display patterns and each of said instantiation second display patterns with any respective of said presentation objects according to said data records of said local presentation information (Paragraph 136: “user’s front page is displayed via the browser application”)(Fig. 2).



**-In regard to independent claim 13**, Anuff teaches a process for authoring electronic information for presentation at an interactive electronic display with which an item may be ordered, comprising the steps of: providing at least a first template defining a default pattern having a first and second display area (Paragraph 68: “Layout”)(Fig. 5a & 5b); providing initial group information comprising data records associating at least one cell to each of a subgroup associated with each said first and second display area (Paragraphs 75-76: “form cells”)(Fig. 5a & 5b); editing said initial group information, based upon a level of access granted to do so (Paragraphs 93-94); providing local presentation information comprising data records associating each of a plurality of presentation objects with at least one of said subgroups (Paragraph 26: “resources available to the user”); and reading said first and second default patterns along with accessing said edited group information and said local presentation information, populating each said cell with any respective of said presentation objects according to said data records of said local presentation information (Paragraph 6: “presents an initial view, or front page”; Paragraph 136: “front page displayed via the browser”)(Fig. 2).

**-In regard to dependent claim 15**, Anuff teaches wherein: said first default pattern defines at least a first and second display area (Paragraph 68: “Groups contain a set of modules...respectively”); said DIALOG template further comprises a second and third template respectively defining a second and third default pattern (Fig. 5a & 5b)(Paragraphs 28 & 75), each of which has first and second display areas (e.g. (Fig. 5a & 5b)); said identified groups comprise a first, second, and third parent group (Fig. 5a & 5b: e.g. Row 1 or Column 1) each respectively

Art Unit: 2178

associated with said first, second, and third template; and said data records of said group information further identify a first and second subgroup for each of said parent groups (Paragraphs 75-76: i.e. cells included in each group)

**-In regard to dependent claim 18**, Anuff teaches comprising a second processor adapted for permitting editing, based upon a second level of access granted to do so, of said group information; and wherein said first processor is further adapted for permitting editing, based upon a first level of access granted to do so, of said local presentation information, said first level of access being more-restricted than said second level (Paragraphs 92-95).

**-In regard to dependent claim 19**, Anuff teaches comprising an intermediary display pattern created at a first location using said default pattern and having accessed said group information such that said intermediary display pattern has said cell-to-group associations of said default pattern (Paragraphs 74-79); and wherein: said processor is at a store location (Fig. 1: 12a-n) and said default pattern read for said filling-in said cells was said intermediary display pattern (Paragraphs 75-79); said identified groups comprise (a) a first parent group associated with said first template (Paragraph 68: i.e. left column group contains three modules), and (b) a second parent group associated with a second template defining a second default pattern (Paragraph 68: i.e. right column group contains two modules); said data records of said group information further identify at least a first and second subgroup for each of said parent groups (Paragraph 51), and further associate at least one cell with each of said subgroups and said data records of

Art Unit: 2178

said local presentation information further associate each said presentation object with one of said identified subgroups (Paragraphs 75-79; Paragraph 136)(Figs. 2 & 10).

**-In regard to dependent claim 21**, Anuff teaches wherein said second program sub-code further comprises assigning a cell characteristic, said cell characteristic comprising a characteristic selected from the group consisting of cell functions, multisensory attributes, and cell layout patterns (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and further comprising: a fifth program sub-code permitting editing of said group information, based upon a first level of access granted to do so, before said step of reading said default pattern and filling-in said cells; and a sixth program sub-code permitting editing of said local presentation information, based upon a second level of access granted to do so, before said step of reading said default pattern and filling-in said cells (Paragraph 6; Paragraphs 93-95)(Fig. 10).

**-In regard to dependent claim 22**, Anuff teaches wherein: said identified groups comprise a first parent group associated with said first template; said second program sub-code comprises instructions for identifying a first and second subgroup for said parent group, said first subgroup associated with a first display area of said default pattern, said second subgroup associated with a second display area of said default pattern, and further associating at least one cell with each of said subgroups; and said third program sub-code comprises instructions for further associating each said presentation object with one of said identified subgroups (Paragraphs 75-79; Paragraph 136)(Fig. 2).

**-In regard to dependent claim 23**, Anuff teaches comprising a fifth program sub-code for creating an intermediary display pattern at a first location (i.e. server) using said default pattern and said group information such that said intermediary display pattern has said cell-to-group associations of said default pattern (Paragraphs 75-76)(Fig. 5a & 5b); wherein said fourth program sub-code comprises instructions for reading said intermediary pattern and for filling-in each said cell with any respective of said presentation objects according to said data records of said local presentation information (Paragraphs 76-79); and further comprising a sixth program sub-code for generating the presentation at an interactive kiosk at a second location (Paragraph 136)(Fig. 1: 10a, 10b, 10c: i.e. client).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the other cited reference on the submitted PTO-892 form.

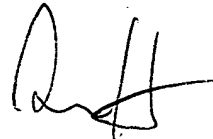
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALB

A handwritten signature in black ink, appearing to read 'SH' with a stylized flourish.

**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**